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OFFICE OF GENERAL
COUNSEL

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September 28, 2012

Anthony Herman, Esq., General Counsel
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

MUR# 6663

Dear Mr. Herman,

I write to inform you of a violation of Federal Election Campaign Laws and Commission Regulations by Brad Crabtree, candidate for North Dakota Public Service Commissioner; his campaign committee, Crabtree for PSC; and its treasurer, Perry Miller.

Radio advertising purchased and authorized by Mr. Crabtree and his campaign is an electioneering communication. His radio ad, a transcript of which is attached, fulfills each of the three requirements to qualify as an electioneering communication—(1) it mentions a clearly identified candidate for federal office—Kevin Cramer, candidate for U.S. House of Representatives, (2) it has been publicly distributed shortly before the election, within the 60 days of the November 6 General Election, and (3) is targeted to the relevant electorate, reaching more than 50,000 people in the state of North Dakota, the electoral district common to the post of Representative and Public Service Commissioner. Additionally, it does not qualify for the exemption available to state or local candidates because, by implication, it attacks or opposes Kevin Cramer.

Mr. Crabtree and his campaign have not filed the required 24 Hour Notice of Disbursements/Obligations for Electioneering Communications (FEC Form 9), despite having exceeded the \$10,000 aggregate disclosure threshold (the attached radio buy report shows Crabtree for PSC's media buy).

I trust the Commission will act promptly to enforce Federal Election Campaign Laws and its own regulations.

Sincerely,

Robert Harms

North Dakota Republican Party Treasurer

Paid for by the North Dakota Republican Party

P.O. Box 1917 • Bismarck, ND 58502

Not Paid for or Authorized by any Candidate or Candidate Committee

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Notarial Certificate

State of North Dakota

County of [County] Burleigh 10/1/12 Robert Harms

Signed and sworn to before me on [Date] by [Signer's Name].

Ruth Stewart

Notary Public

My commission expires [Expiration Date]

[Notary Stamp]

Additional Required Information



Address of Respondents

Brad Crabtree

PO Box 396

Ellendale ND 58436-0396

Crabtree for PSC

PO Box 396

Ellendale ND 58436-0396

Perry Miller, Treasurer

Crabtree for PSC

PO Box 396

Ellendale ND 58436-0396

Attachments:

- (1) Transcript of Radio Ad
- (2) Media Buy Report

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Crabtree for PSC.

I'm Brad Crabtree, candidate for Public Service Commissioner. I believe you deserve more from your public officials. It's wrong for regulators to take political money from interests they regulate. But Public Service Commissioners Kevin Cramer and Brian Kalk have taken thousands of dollars from the very companies and executives whose projects they approve. Our PSC Commissioners are supposed to watch out for folks like you, not just the people who sign the checks.

That's why I've pledged not to accept any contributions from companies or executives with interests before the PSC. It's not what candidates say, but what they do that matters. See for yourself at crabtreeforpsc.com where I post the contributions my campaign receives.

I'm Brad Crabtree, candidate for Public Service Commissioner. I'd appreciate your vote to help me put you – the public – back into the Public Service Commission.

Get the rest of the story at crabtreeforpsc.com. Paid for by Crabtree for PSC, Perry Miller, Treasurer.

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